

REMARKS

REJECTIONS UNDER 35 U.S.C. § 102

Claims 1-3 and 5-13 were rejected under 35 U.S.C. § 102(b) as being anticipated by ExtremeWare Software User Guide (Software Version 6.1), Published April 2000 (hereinafter “ExtremeWare”). Applicant submits claims 1-3 and 5-13 are not anticipated for at least the reasons set forth below.

Claims 1-3 and 5-10

Claim 1 has been amended to recite, in part, the following:

establishing a bridge route between SRP routers supporting the virtual router to provide a redundant network path for an end-host attached to an SRP router via a host-specific port;

Applicant submits the cited reference fails to disclose the above limitation “in as complete detail as is contained in the claim,” as required by *Richardson v. Suzuki Motor Co.* (868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed Cir. 1989)). Furthermore, per *NetMoneyIn v. Verisign* (Fed Cir. 2008), 35 U.S.C. § 102 “embodies the concept of novelty—if a device or process has been previously invented (and disclosed to the public), then it is not new, and therefore the claimed invention is ‘anticipated’ by the prior invention. . . . Because the hallmark of anticipation is prior invention, the prior art reference—in order to anticipate under 35 U.S.C. § 102—must not only disclose all elements of the claim within the four corners of the document, but must also disclose those elements ‘arranged as in the claim.’”

Given the law set forth above, Applicant submits that the cited reference does not disclose establishing a bridge route between SRP routers supporting the virtual router to provide a redundant network path for an end-host attached to an SRP router via a host-

specific port, claimed. As such, Applicant submits claim 1 is not anticipated by the cited reference. Claims 2-10 are not anticipated for at least the same reasons claim 1 is not anticipated.

Claims 11-13

Claim 11 recites, in part, assigning an end-host to a host-specific port of a first router supporting a virtual router in an SRP. The Office action fails to show, or even claim, that the reference discloses or suggests the above limitation. In other words, the Office action has not even alleged, much less shown, the above limitation to be contained within the four corners of the cited reference. For at least this reason, the rejection of claim 11 is defective, and Applicant respectfully requests withdrawal of the rejection. Claims 12-13 depend from claim 11 and are not anticipated for at least the same reasons claim 11 is not anticipated by the cited reference.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-3 and 5-13 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

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I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below.

Date: January 23, 2009

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